THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P. No.5848 of 2004

Dated: 30.10.2006

Between:-

A.Padma

..Petitioner

And

1. The Joint Collector (C.S.))
   Nalgonda and another.

..Respondents

ORDER:

This writ petition is filed seeking Mandamus declaring the order dated 11-03-2004 in proceedings No.CSI/465/2003, passed by the 1st respondent, as arbitrary and illegal.

2. It appears, the petitioner is running a fair-price-ship at Dhacharam village, Mothkur Mandal, Nalgonda District, for more than twenty years. While so, in the month of December, 2003, the Deputy Tahsildhar (C.S.), Mothkur, inspected the shop and found certain variations when compared to book balances and stock found in the shop. The Deputy Tahsildhar submitted a report to the Revenue Divisional Officer (R.D.O.) vide his letter dated 09-01-2004. Thereafter, the petitioner's authorization was suspended by the R.D.O. by order dated
16-01-2004. The R.D.O. on the basis of the report received from the Mandal Revenue Officer (M.R.O.), Mothkur, issued a show-cause notice dated 22-01-2004. On submission of explanation by the petitioner, the R.D.O. considered the same and accepted the explanation submitted by the petitioner and passed orders on 25-02-2004, directing restoration of the authorization of the petitioner. However, she was warned and further imposed with a penalty of Rs.1000/- for the irregularities committed by her. While that being so, the 2nd respondent filed an appeal against the orders passed by the R.D.O., Bhongir, before the 1st respondent-the Joint Collector (C.S.), Nalgonda. The 1st respondent has taken up the

appeal on file and granted stay of the orders passed by the R.D.O. Aggrieved by the same, the present writ petition is filed.

3. While admitting the writ petition, interim suspension as prayed for was granted by this Court on 29-03-2004. Now it is more than 2 ½ years since the interim suspension was granted. No useful purpose would be served by going into the merits or demerits of the impugned proceedings.

4. In the facts and circumstances, since the appeal filed by the petitioner is pending with the Joint Collector, Nalgonda,
I deem it appropriate to continue interim order granted on
29-03-2004 during the pendency of the appeal and the appellate authority-Joint Collector, Nalgonda, is directed to dispose of the appeal within a period of two months from the date of receipt of a copy of this order.

5. With the aforementioned direction, the writ petition is disposed of. No costs.

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October 30,

2006

KVR